

LABEL, IN PART: (Can) "Cape King Herring Roe."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a roe other than herring roe had been substituted in whole or in part for herring roe.

Misbranding, Section 403 (a), the label designation "Herring Roe" was false and misleading.

DISPOSITION: November 1, 1951. Default decree of condemnation and destruction.

17717. Adulteration of oysters. U. S. v. Morton W. Melnick (Loop Fish & Poultry Market). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 30600. Sample Nos. 75286-K to 75288-K, incl.)

INFORMATION FILED: May 14, 1951, District of Colorado, against Morton W. Melnick, trading as the Loop Fish & Poultry Market, Denver, Colo.

ALLEGED SHIPMENT: On or about November 3, 1950, from the State of New Jersey into the State of Colorado.

ALLEGED VIOLATION: On or about November 10, 1950, while the product was being held for sale after shipment in interstate commerce, the defendant caused a quantity of water to be added to the oysters, which act resulted in the product becoming adulterated.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance, water, had been substituted in part for shucked oysters; and, Section 402 (b) (4), water had been added to the product and mixed with it so as to increase its bulk and reduce its quality.

DISPOSITION: October 31, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$200.

17718. Adulteration of oysters. U. S. v. King Soopers, Inc. Plea of nolo contendere. Fine, \$200. (F. D. C. No. 30602. Sample Nos. 94901-K to 94903-K, incl.)

INFORMATION FILED: June 12, 1951, District of Colorado, against King Soopers, Inc., Denver, Colo.

ALLEGED SHIPMENT: On or about November 4, 1950, from the State of Maryland into the State of Colorado.

ALLEGED VIOLATION: On or about November 10, 1950, while the product was being held for sale after shipment in interstate commerce, the defendant caused a quantity of water to be added to the oysters, which act resulted in the product becoming adulterated.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance, water, had been substituted in part for oysters; and, Section 402 (b) (4), water had been added to the product and mixed with it so as to increase its bulk and reduce its quality.

DISPOSITION: November 8, 1951. A plea of guilty having been entered, the court fined the defendant \$200.

FRUITS AND VEGETABLES

CANNED FRUIT

17719. Adulteration of canned blueberries. U. S. v. Roy Allen (G. M. Allen & Son). Plea of nolo contendere. Fine, \$100. (F. D. C. No. 31082. Sample No. 81437-K.)

INFORMATION FILED: April 27, 1951, District of Maine, against Roy Allen, trading as G. M. Allen & Son, North Sedgwick, Maine.

ALLEGED SHIPMENT: On or about August 21, 1950, from the State of Maine into the State of Pennsylvania.

LABEL, IN PART: (Can) "Allen's Maine Blueberries."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of maggots.

DISPOSITION: June 27, 1951. A plea of nolo contendere having been entered, the court fined the defendant \$100.

FROZEN FRUIT

17720. Adulteration of frozen strawberries. U. S. v. 16,456 Pounds * * *.
(F. D. C. No. 29531. Sample No. 78540-K.)

LABEL FILED: August 17, 1950, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about July 26, 1950, by Frigid Frosted Foods, Inc., from Everett, Wash.

PRODUCT: 16,456 pounds of frozen strawberries at Detroit, Mich.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of moldy and rotten strawberries.

DISPOSITION: December 28, 1950. The shipper having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation and destruction of the unfit portion. 14,542 pounds of strawberries were salvaged and the remainder destroyed.

JAM

17721. Adulteration and misbranding of fruit spreads. U. S. v. 94 Cases, etc.
(F. D. C. No. 29684. Sample Nos. 42501-K to 42506-K, incl.)

LABEL FILED: August 29, 1950, Northern District of Indiana; amended label filed October 4, 1950.

ALLEGED SHIPMENT: On or about May 25, 1950, by the Milwaukee Preserve & Flavor Co., from Milwaukee, Wis.

PRODUCT: 94 cases of strawberry spread, 74 cases of black raspberry spread, 48 cases of blackberry spread, 23 cases of red raspberry spread, 23 cases of cherry spread, and 23 cases of pineapple spread at Gary, Ind. Each case contained 24 1-pound jars.

LABEL, IN PART: (Jar) "Steel City Brand * * * Strawberry [or "Black Raspberry," "Blackberry," "Red Raspberry," "Cherry," or "Pineapple"] Spread."

NATURE OF CHARGE: Adulteration, Section 402 (b) (4), water, sugar, and artificial color had been added to the strawberry, red raspberry, and cherry spreads, and artificial flavor had been added to the strawberry, blackberry, and cherry spreads, and had been mixed and packed with the respective products so as to increase their bulk and weight and make them appear better and of greater value than they were.

Misbranding, Section 403 (g) (1), the products purported to be and were represented as fruit jams, and they failed to conform to the definitions and standards of identity for fruit jams since they were made from mixtures